

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

REALTY MORTGAGE COMPANY

PLAINTIFF

VS.

CIVIL ACTION NO. 3:09CV76TSL-JCS

FEDERAL INSURANCE COMPANY

DEFENDANT

ORDER

This cause is before the court on the July 23, 2009 report and recommendation of Magistrate Judge James C. Sumner, recommending that defendant's motion to dismiss be denied. Having reviewed report and recommendation, the court hereby adopts it as the court's own opinion.

Accordingly, it is further ordered that defendant's motion to dismiss is denied and that plaintiff's motion for an extension of time in which to employ special counsel is denied as moot.

SO ORDERED this 11<sup>th</sup> day of August, 2009.

/s/ Tom S. Lee\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE